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Security Council

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Angola, Australia, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malaysia, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Senegal, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: draft resolution

The Security Council,

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever, wherever and by whomsoever committed, and remaining determined to contribute further to enhancing the effectiveness of the overall effort to fight this scourge on a global level,

Noting with concern that the terrorism threat has become more diffuse, with an increase, in various regions of the world, of terrorist acts including those motivated by intolerance or violent extremism, and expressing its determination to combat this threat,

Reaffirming its commitment to the sovereignty, including sovereignty over the airspace above a State's territory, territorial integrity and political independence of all States in accordance with the Charter of the United Nations,

Recognizing the vital importance of the global aviation system to economic development and prosperity, and of all States strengthening aviation security measures to secure a stable and peaceful global environment, and *further recognizing* that secure air services in this regard enhance transportation, connectivity, trade, political and cultural links between States, and that public confidence in the security of air transport is vital,

Noting that the global nature of aviation means that States are dependent on the effectiveness of each others' aviation security systems for the protection of their citizens and nationals and relevant aspects of their national security, bearing in mind the common goal of the international community in this regard, which means States are dependent on each other to provide a common secure aviation environment,

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Expressing concern that terrorist groups continue to view civil aviation as an attractive target, with the aim of causing substantial loss of life, economic damage and disruption to connectivity between States, and that the risk of terrorist attacks against civil aviation may affect all regions and Member States,

Expressing grave concern over terrorist attacks against civil aviation and *strongly condemning* such attacks,

Also expressing concern that civil aviation may be used as a transportation means by Foreign Terrorist Fighters, and *noting* in this regard that Annex 9 — Facilitation to the Convention on International Civil Aviation, done at Chicago on December 7, 1944 (the "Chicago Convention") contains standards and recommended practices relevant to the detection and prevention of terrorist threats involving civil aviation,

Reaffirming that terrorist attacks against civil aviation, like any act of international terrorism, constitute a threat to international peace and security, and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever, wherever, and by whomsoever committed, and *reaffirming* the need to combat by all means threats to international peace and security caused by terrorist acts, in accordance with the Charter of the United Nations and other international law, in particular international human rights law, international refugee law, and international humanitarian law,

Expressing particular concern that terrorist groups are actively seeking ways to defeat or circumvent aviation security, looking to identify and exploit gaps or weaknesses where they perceive them, *noting* in this regard the high priority risk areas for aviation as identified by the Council of the International Civil Aviation Organization (ICAO), in its Global Risk Context Statement, and *stressing* the need for international aviation security measures to keep pace with the evolution of this threat,

Affirming the role of the International Civil Aviation Organization (ICAO) as the United Nations organization responsible for developing international aviation security standards, monitoring their implementation by States and its role in assisting states in complying with these standards, *noting* in this regard ICAO's "no country left behind" initiative, and *noting also* the adoption at the 37th Session of the ICAO Assembly in 2010 of the Declaration on Aviation Security and the ICAO Comprehensive Aviation Security Strategy, both of which have become key instruments of leadership and engagement for the Organization in carrying out its aviation security programme, and *noting* the intention to develop a Global Aviation Security Plan as the future global framework for progressive aviation security enhancement,

Noting that the protection of civil aviation from acts of unlawful interference is addressed by the Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo, 1963), by the Convention for the Suppression of Unlawful Seizure of Aircraft (The Hague, 1970), by the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (Montréal, 1971), by the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (Montréal, 1988), by the

Convention on the Marking of Plastic Explosives for the Purpose of Detection (Montréal, 1991), by the Convention for the Suppression of Unlawful Acts Relating to International Civil Aviation (Beijing, 2010), by the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (Beijing, 2010), by the Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft (Montréal, 2014) and by bilateral agreements for the suppression of such acts,

Reaffirming its call upon all States to become party to the relevant international counter-terrorism conventions and protocols as soon as possible, whether or not they are a party to regional conventions on the matter, and to fully implement their obligations under those to which they are a party,

1. *Affirms* that all States have the responsibility to protect the security of citizens and nationals of all nations against terrorist attacks on air services operating within their territory, in a manner consistent with existing obligations under international law;

2. *Affirms* also that all States have an interest to protect the safety of their own citizens and nationals against terrorist attacks conducted against international civil aviation, wherever these may occur, in accordance with international law, including international human rights law and international humanitarian law;

3. *Notes* that Annex 17 — Security to the Convention on International Civil Aviation, done at Chicago on December 7, 1944 (the "Chicago Convention"), provides that contracting States shall develop and implement regulations, practices, and procedures to safeguard civil aviation against acts of unlawful interference and to ensure that such measures are capable of responding rapidly to meet any increased security threat, and further *notes* that Annex 17 to the Chicago Convention establishes additional standards to safeguard international civil aviation against unlawful interference, to which contracting States shall conform in accordance with the Chicago Convention, and that Annex 17 to the Chicago Convention also provides recommended practices, and that both standards and recommended practices are supported by detailed guidance on their effective implementation;

4. *Welcomes and supports* the work of ICAO to ensure that all such measures are continuously reviewed and adapted to meet the ever-evolving global threat picture, and *calls upon* ICAO, within its mandate, to continue and enhance its efforts to establish compliance with international aviation security standards through effective implementation on the ground, and to assist Member States in this regard;

5. *Calls upon* all States to work within ICAO to ensure that its international security standards are reviewed and adapted to effectively address the threat posed by terrorist targeting of civil aviation, to strengthen and promote the effective application of ICAO standards and recommended practices in Annex 17, and to assist ICAO to continue to enhance audit, capacity development and training programmes in order to support their implementation;

6. *Further calls upon* all States, as part of their efforts to prevent and counter terrorist threats to civil aviation and acting consistent with relevant international legal instruments and framework documents, to:

(a) Ensure that effective, risk-based measures are in place at the airports within their jurisdiction, including through enhancing screening, security checks, and facility security, to detect and deter terrorist attacks against civil aviation and to review and assess such measures regularly and thoroughly to ensure that they reflect the ever-evolving threat picture and are in accordance with ICAO standards and recommended practices;

(b) Take all necessary steps to ensure that these measures are effectively implemented on the ground on a continuing and sustainable basis, including through the provision of the required resources, the use of effective quality control and oversight processes, and the promotion of an effective security culture within all organizations involved in civil aviation;

(c) Ensure that such measures take into account the potential role of those with privileged access to areas, knowledge or information that may assist terrorists in planning or conducting attacks;

(d) Urgently address any gaps or vulnerabilities that may be highlighted by ICAO or national self-risk assessment or audit processes;

(e) Strengthen security screening procedures and maximize the promotion, utilization and sharing of new technologies and innovative techniques that maximize the capability to detect explosives and other threats, as well as strengthening cooperation and collaboration and sharing experience in regards to developing security check technologies;

(f) Further engage in dialogue on aviation security and cooperate by sharing information, to the extent possible, about threats, risks, and vulnerabilities, by collaborating on specific measures to address them and by facilitating, on a bilateral basis, mutual assurance about the security of flights between their territories;

(g) Require that airlines operating in their territories provide advance passenger information to the appropriate national authorities in order to detect the departure from their territories, or attempted entry into or transit through their territories, by means of civil aircraft, of individuals designated by the Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015);

7. *Urges* States able to do so to assist in the delivery of effective and targeted capacity development, training and other necessary resources, technical assistance, technology transfers and programmes, where it is needed to enable all States to achieve the outcomes set out above, in particular with regards to paragraphs 6 (b) and 6 (e);

8. *Calls upon* all States to strengthen their international and regional cooperation to strengthen information-sharing, border control, law enforcement and criminal justice to better counter the threat posed by foreign terrorist fighters and returnees;

9. *Urges* all States to ensure that all their relevant domestic departments, agencies and other entities work closely and effectively together on matters of aviation security;

10. *Encourages* continued cooperation between ICAO and the Counter-Terrorism Executive Directorate (CTED) on identifying gaps and vulnerabilities

relevant to aviation security, *welcomes also* the cooperation between ICAO and the Counter-Terrorism Implementation Task Force to facilitate the delivery of technical assistance and capacity building in the field of aviation security, *encourages* closer cooperation between ICAC and the Counter-Terrorism Committee and CTED, and *requests* CTED to continue to work with ICAO to address aviation security in all relevant CTED activities and reports, in particular country assessments;

11. *Requests* the Counter-Terrorism Committee (CTC) to hold a Special Meeting within 12 months, in cooperation with ICAO, on the issue of terrorist threats to civil aviation, and invites the Secretary-General of ICAO and the Chair of the CTC to brief the Council on the outcomes of this meeting in 12 months time;

12. *Decides* to remain seized of the matter.